

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/14/2023

LUIGI GIROTTI,

Plaintiff,

-against-

CACAO MARKET BY MARIEBELLE, LLC and  
59 WOOSTER ST. CORP.,

Defendants.

1:23-cv-4011 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:


On September 11, 2023, the Court entered a Civil Case Management Plan and Scheduling Order in this action. [ECF No. 18]. Upon the parties' request for participation in the District's Mediation Program, the Court subsequently entered an order of referral to the program. [ECF No. 19]. The Court directed that "[w]ithin three days of any mediation, the parties should file a Joint Letter on the docket, advising the Court of the status, but not the substance, of settlement discussions." [ECF No. 18]. The Court also scheduled a status conference for November 17, 2023 to discuss mediation progress, if any. [ECF Nos. 18, 20]. To date, the parties have filed no letters on the docket indicating that they have begun the Mediation Program.

Accordingly, it is HEREBY ORDERED that the status conference scheduled for November 17, 2023 is adjourned *sine die*. It is FURTHER ORDERED that by November 21, 2023, the parties shall file a joint letter advising the Court of the status of their participation in the mediation program, as well as the status, but not the substance, of any settlement discussions. Failure to comply with the deadlines set forth herein and any other orders in this case, the local rules, or the Court's Individual Rules of Practice may result in sanctions, including monetary penalties,

preclusion at trial of information not provided, or preclusion and/or dismissal of claims or defenses.

**SO ORDERED.**

**Date: November 14, 2023**  
**New York, NY**

  
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**MARY KAY VYSKOCIL**  
**United States District Judge**